REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 6-22, 27 and 31-43 are pending, with claims 1 and 22 amended by the present amendment. Claims 1 and 22 are independent.

In the Official Action, claims 1, 6-8, 12-14, 18-19, 22, 27, 31, 35 and 42-43 were rejected under 35 U.S.C. § 102(e) as being anticipate by Otsuka (U.S. Patent Pub. No. 2003/0021593); and claims 9-11, 15-17, 20-21, 32, 34 and 36-41 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Otsuka.

Applicant traverses the objection to claim 22. Claim 22 purposely uses the term "operably," which is term common to U.S. claim drafting practice.

Claims 1 and 22 are amended to more clearly describe and distinctly claims Applicants' invention. Claims 6-10, 12-13, 15, 17-18, 20-21, 27, 31-36 and 38-41 are amended to maintain antecedent support. No new matter is added.

Briefly recapitulating, claim 1 is directed to

> A method for controlling a playback operation in a media player device, the method comprising:
>
> receiving a user input for selecting one of N operating states of the media player device, each of the N operating states including first and second coincident operational modes of the media player device, the first coincident operational mode including reproducing audio/video (A/V) data recorded on a recording medium according to one of X playback states, the ***second coincident operational mode including processing additional data recorded on the recording medium or provided from a remote content provider according to one of Y operation states, where N = X x Y, the additional data being associated with the A/V data***; and

operating the media player device in the one of the N operating states in response to the user input.

Independent claim 22 recites, *inter alia*, a controller configured to

receive a user input for selecting one of N operating states of the media player device, each of the N operating states including first and second coincident operational modes of the media player device, the first coincident operational mode including reproducing audio/video (A/V) data recorded on a recording medium according to one of X playback states, the ***second coincident operational mode including processing additional data recorded on the recording medium or provided from a remote content provider according to one of Y operation states, where N = X x Y, the additional data being associated with the A/V data*** and

operate the media player device in the one of the N operating states in response to the user input.

Otsuka describes an optical disc player 100 that can operate in at least two modes: a video playback mode and a user agent mode. In the video playback mode, the optical disc player 100 functions to access and display video content stored on the local optical disc 116, such as would a standard DVD player. In the video playback mode, the video menu displayed on a displaying device (e.g. television, computer monitor) is used to control the playback of the video content. In the user agent mode, the optical disc player is configured to run a user agent program (e.g. a browser) to allow a user to access website documents on a network or stored in the local optical disc 116, and perform various functions associated with the website document. In the user agent mode, the video content stored on the local optical disc 116 may be shown in a framed window within the user agent window. In the user agent mode, the user agent menu is used to control the playback of the video content.

However, Otsuka does not disclose or suggest Applicants' claimed "second coincident operational mode including processing additional data recorded on the recording medium or

provided from a remote content provider according to one of Y operation states, where N = X x Y, the additional data being associated with the A/V data."

In Applicants' claimed invention, Y operation states are associated with processing **additional data**. The Official Action alleges that Otsuka's "bool AllowModeSwitch" allows a user to change between a playback mode and a user agent mode (i.e., X=1, Y=3, N=3). Accordingly, Applicants interpret the Official Action as finding that the third operation state (play) corresponds to Otsuka's "bool AllowModeSwitch." However, nothing associated with Otsuka's "bool AllowModeSwitch" relates to additional data associated with A/V data.

Assuming *arguendo* that the HTML document shown in FIG. 2B of Otsuka can be considered to be additional data associated with the video content shown in the frame window, in order to sustain a rejection in view of Otsuka, any theoretical Y operation states in Otsuka should therefore be associated with processing HTML document itself. However, any possible Y operation states of Otsuka only relate to a change between playback mode and user agent mode, and do not relate to any control or processing of an HTML document.

In other words, cited FIG. 2B of Otsuka only shows a website document (HTML document) in a user agent mode. Accordingly, the HTML menu of Otsuka only controls the **playback of the video content**. Thus, while the video content arguably corresponds to Applicants' A/V data; the HTML menu of Otsuka only controls the playback of the video content, and does not control or process the HTML document (that is allegedly associated with the video content.) Consequently, any possible Y operation states of Otsuka only relate to a change between a playback mode and a user agent mode, and do not relate to control of HTML document itself at all. Thus, Otsuka fails to disclose or suggest Applicants' Y operation states.

Accordingly, Otsuka does not disclose or suggest Applicants' claimed "second coincident operational mode including processing additional data recorded on the recording medium or provided from a remote content provider according to one of Y operation states, where N = X x Y, the additional data being associated with the A/V data."

MPEP § 2131 notes that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See also MPEP § 2131.02. "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Because Otsuka does not disclose or suggest all of the features recited in claims 1 and 22, Otsuka does not anticipate the invention recited in claims 1 and 22, and all claims depending therefrom.

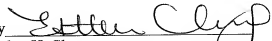
Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael E. Monaco, Reg. No. 52,041 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: August 10, 2009

Respectfully submitted,

By 

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